

Article - Public Utilities

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§25–205.

- (a) (1) The Commission may not impose a front foot benefit charge on:
- (i) property owned by the State, a county, or a municipality;
 - (ii) property in the sanitary district that is connected to or authorized by the Commission to be connected to a water or sewer system operated by:
 - 1. a municipality; or
 - 2. a water or sewer company under the jurisdiction of the Department of the Environment;
 - (iii) property owned by a regularly organized volunteer fire department that is used for public purposes; or
 - (iv) subject to paragraph (2) of this subsection, property classified as agricultural that is actually used for farming purposes, unless a connection is made to a water main or sewer running through or adjacent to the property.
- (2) The Commission may impose a reasonable front foot benefit charge on property classified as agricultural, which may not exceed the charge for 300 feet of front footage.
- (b) The Commission may suspend the imposition and collection of a front foot benefit charge:
- (1) with respect to a sewer line, for property otherwise subject to a front foot benefit charge that the Commission determines cannot obtain service from the sewer pipe on which the benefit charge would be based;
 - (2) for construction of a water main if the owner of the property that is otherwise subject to the benefit charge is not permitted to connect to the water main because of a finding:
 - (i) by the Commission that there is no sewer and the extension of an improved sewer system is not reasonably feasible; and

(ii) by a county health department that a septic system would not be approved for the disposal of the water for which the connection is requested; or

(3) if the property that is otherwise subject to the front foot benefit charge for a water main or sewer has a preexisting residential dwelling that is served by a well or septic system, until the property owner requests service from the water main or sewer.

(c) (1) If a property is exempt from front foot benefit charges or if the Commission has suspended front foot benefit charges for a property and the property is no longer eligible for the exemption or suspension, the Commission shall:

(i) classify the property in accordance with § 25–203 of this subtitle; and

(ii) impose a front foot benefit charge at a rate and for a period of time equal to that of property that was originally classified or for which the Commission imposed benefit charges in the year of the suspension.

(2) The Commission shall use money from front foot benefit charges imposed on property under paragraph (1) of this subsection to:

(i) amortize bonds issued to construct water mains and sewers for which benefit charges were imposed under this subtitle; or

(ii) construct other water mains and sewers for which benefit charges are imposed.

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